

## 42 C.F.R. § 416.35

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### Termination of agreement.

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(a) *Termination by the ASC*—(1) *Notice to CMS*. An ASC that wishes to terminate its agreement must send CMS written notice of its intent.

(2) *Date of termination*. The notice may state the intended date of termination which must be the first day of a calendar month.

(i) If the notice does not specify a date, or the date is not acceptable to CMS, CMS may set a date that will not be more than 6 months from the date on the ASC's notice of intent.

(ii) CMS may accept a termination date that is less than 6 months after the date on the ASC's notice if it determines that to do so would not unduly disrupt services to the community or otherwise interfere with the effective and efficient administration of the Medicare program.

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